

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JOHN FITZGERALD MULLINGS,**

**Defendant.**

**Case No. 22-03099-01-CR-S-BP**

**GOVERNMENT'S NOTICE OF INTENTION TO ADMIT INTO EVIDENCE  
CERTIFIED DOMESTIC RECORDS OF REGULARLY CONDUCTED ACTIVITY  
UNDER FEDERAL RULES OF EVIDENCE 803(6) AND 902(11)**

COMES NOW the United States of America, by and through Teresa A. Moore, the United States Attorney for the Western District of Missouri, and Stephanie L. Wan, the undersigned Assistant United States Attorney, and hereby offers its written notice to all adverse parties of its intention to admit into evidence certified domestic records of regularly conducted activity under Federal Rules of Evidence 803(6) and 902(11).

During the trial, the Government intends to seek admission into evidence of the following documents:

1. Business records from Dropbox, certified on January 19, 2021, that are the records produced in response to Western District of Missouri search warrant number 21-SW-2010DPR, for the contents of the Dropbox account with the username "Jolly Jullie."
2. Business records from LG Electronics establishing that the LG Stylo 6 cellular phone, bearing IMEI 353889800763376, was manufactured outside the United States.

### **AUTHORITY**

Federal Rules of Evidence 803(6) and 902(11) allows, if documents are otherwise admissible under law and under Federal Rule of Evidence 803(6), for a custodian of the records to sign a certificate that declares that the document or record –

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

If the custodian signs such a certification, the Court can allow the Government to admit the document into evidence, as self-authenticating, so long as the Government provide written notice of this intention and make the record and the certifications available for inspection sufficiently in advance of trial. A copy of the business records for the documents and the certifications in question have been given to the defendant, and the contraband content contained within the records has been made available and is available for viewing at the United States Attorney's Office, as part of the discovery in this case.

For the above-mentioned reasons, the Government asks for the admission of the proffered evidence under the Federal Rules of Evidence and applicable case law.

Respectfully submitted,

Teresa A. Moore  
United States Attorney

By /s/ Stephanie L. Wan  
Stephanie L. Wan  
Missouri Bar No. 58918  
Assistant United States Attorney  
901 St. Louis Street, Ste. 500  
Springfield, Missouri 65806

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered April 22, 2024, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Stephanie L. Wan

Stephanie L. Wan

Assistant United States Attorney